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10/661,198

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Michael D. Crittenden

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HOWARD & HOWARD ATTORNEYS, P.C.
THE PINEHURST OFFICE CENTER, SUITE #101
39400 WOODWARD AVENUE
BLOOMFIELD HILLS, MI 48304-5151

EXAMINER

HALL, ARTHUR O

ART UNIT

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3714

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/661,198	Applicant(s) CRITTENDEN ET AL.	
	Examiner ARTHUR O. HALL	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 39,40,43-47,50-54,108,109,112,114-116,119-123 and 141-148 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 39,40,43-47,50-54,108,109,112,114-116,119-123 and 141-148 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

Examiner acknowledges applicant's amendment of claims 39, 43-46, 51-54, 108, 112, 114-115, 121-123 and 141-148 and cancellation of claims 1-38 (previously canceled), 41-42, 48-49, 55-107 (previously canceled), 110-111, 113, 117-118 and 124-140 (previously canceled) in the Response dated 3/4/2008 as part of the Request for Continued Examination to Final Office Action dated 12/4/2007. Claims 39-40, 43-47, 50-54, 108-109, 112, 114-116, 119-123 and 141-148 are pending in the application and subject to examination as part of this office action.

Examiner acknowledges that applicants arguments in the Response dated 3/4/2008 as part of the Request for Continued Examination directed to the rejection set forth under 35 U.S.C. 102(e) and 35 U.S.C. 103(a) in the Final Office Action dated 12/4/2007 are deemed moot in light of a new ground of rejection under 35 U.S.C. 103(a) as set forth below in view of applicants amendments and in view of applicants arguments.

Claim Objections

Claim 39 is objected to because of the following informalities: the claim recites "including the steps of;" however, "including" is not one of the transitional phrases that would define the features of the claims in a manner in which one having ordinary skill in the art would expect additional steps if required or no further steps if not required (See MPEP 2111.03 Transitional Phrases). Examiner suggests that applicants review all

claims and correct any of the above described informalities. Appropriate correction is required.

Claim 41 is objected to because of the following informalities: the claim recites that the claim is canceled; however, the text of the claim remains recited after the canceled status of the claim. Examiner will treat the claim as canceled for the purpose of examination. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 39-40, 43-47, 50-53, 108-109, 112, 114-116, 119-122 and 141-148 rejected under 35 U.S.C. 103(a) as being unpatentable over Weiss (US Patent 6,511,377) in view of Walker et al. (US Patent 6,227,972; hereinafter Walker '972). Features are described by figures with reference characters where necessary for clarity.

Regarding claim 39, Weiss teaches

a method for crediting a player of a gaming machine with bonus points (column 7, lines 7-14 and lines 40-45, Weiss; plural gaming machines are operated in a cashless gaming system to provide credit to the player), including the steps of:

establishing a player account for the player, the player account stored in a computer coupled to the gaming machine and having an associated player account number (column 7, lines 14-24 and lines 59-67, column 8, line 43 to column 9, line 19 and Fig. G1-Gn, 1, 20, 40, 60, 62 and 64, Weiss; a player account may be established

by input of a player account number, player ID and other player information via an enrollment station operatively connected to a real-time gaming account wagering system having a computer operatively connected to plural gaming machines and an on-line accounting and game information system having a database and tracking module that stores and tracks the players account information);

providing a database for storing electronic vouchers in a list separate from the player account, each electronic voucher having a first parameter and a second parameter, each electronic voucher being a separate electronic record stored in the list in the database (column 7, lines 47-67, column 8, lines 32-48, column 9, lines 20-54, column 11, lines 8-39 and column 12, lines 18-30, Weiss; data regarding voucher information for the player is stored electronically in a group account as part of a combined list of voucher data, which is separate from data stored the player account that lists the player information, and the electronic voucher data may be either cash or promotional value or a first parameter and an expiration date in which the promotional value expires or a second parameter);

assigning a first number of bonus points to a first electronic voucher (column 12, line 60 to column 13, line 4, Weiss; bonus points are assigned to a player's electronic account and it would have been obvious at the time of invention to try an implementation in which the bonus points are assigned to a first electronic voucher in the group account since it would have been an obvious matter of design choice to utilize the separate group account for storing voucher data for the player because both the player an group accounts are configured to provide the same functionality and may be used for different purposes);

defining the first parameter of the first electronic voucher as being one of cashable and non-cashable and defining the second parameter of the first electronic voucher as being an expiration date of the first electronic voucher (column 11, lines 8-39 and column 12, lines 18-30, Weiss; the first electronic voucher data may have a first parameter that is either cash, which is cashable, or promotional value, which is non-cashable, and a second parameter that is an expiration date in which the promotional value expires);

assigning the first electronic voucher to the player account, by storing the player account number associated with the player's player account in the first electronic voucher (column 9, lines 20-54, Weiss; the voucher data for the first electronic voucher is stored electronically in the group account with the players account number stored therein to identify the group account with the player account);

allowing the player to convert at least a portion of the first number of bonus points to credits and responsively redeeming the first electronic voucher (column 13, lines 5-38 and column 20, lines 1-25, Weiss; bonus points may be converted to credits to be used for play the gaming machine and may be redeemed by the player via a redemption apparatus as a physical voucher representing the electronic voucher data stored in the group account);

downloading the converted credits to the gaming machine (column 13, lines 24-38, Weiss; the bonus points converted to credits are download to the gaming machine controller for game play);

allowing the player to play the gaming machine using the downloaded credits (column 13, line 64 to column 14, line 8, Weiss; the player plays the gaming machine using the converted credits);

dispensing credits to the player after the player stops playing the game, if the first number of bonus points were defined as cashable (column 20, lines 25-31 and lines 59-62, Weiss; the redemption process occurring after game play is complete allows the player to redeem the voucher for cash, and it would have been obvious at the time of invention to try an implementation in which the bonus points are cashable so as to provide dispensing credits since cashable bonus points are redeemable for cash or complimentary); and

creating a second electronic voucher containing the downloaded after the player stops playing the game (column 14, lines 9-23, Weiss; it would have been obvious at the time of invention to try an implementation in which a second electronic voucher is created using download credits after game play is complete since non-cashable bonus points may be electronically deposited to the group account and recorded as a separate, second voucher because an iterative process of creating multiple electronic

vouchers in a group account would be contemplated based on the need for the player to redeposit non-cashable credits due to continuous play and probable winnings until the voucher expires).

However, Weiss does not appear to teach initiating the process of creating, assigning and defining a second electronic voucher as claimed. Therefore, attention is directed to Walker '972, which teaches

creating a second electronic voucher containing the downloaded after the player stops playing the game and assigning the second electronic voucher to the player account by storing the player account number associated with the player's player account in the second voucher, if the first parameter of the first electronic voucher of was defined as non-cashable, the second electronic voucher having a first parameter and a second parameter, the first parameter of the second electronic voucher being defined as non-cashable and the second parameter of the second electronic voucher being defined as the expiration date associated with the first electronic voucher (Abstract and column 4, line 34 to column 5, line 9, Walker '972; it would have been obvious at the time of invention to create, assign and define a second voucher or other additional voucher utilizing remaining non-cashable credits and expiration date from previous game play with a first voucher since the credits associated with the first voucher may be used up until the end of the expiration period of the first voucher issued to a player via a slot machine, wherein the player may return for play on different days and may need to replace a lost first voucher with a second or additional voucher).

Weiss teaches a device and method of storing vouchers electronically in a group account separate from a player account (column 9, lines 10-54, Weiss). Walker '972 teaches a device and method for continuing game play using a voucher card created from electronic voucher data and having an expiration amount and expiration period

(Abstract and column 4, line 34 to column 5, line 9, Walker '972;). Walker '972 provides an incentive to combine its continuous game play features for electronic voucher data having an expiration period with the voucher creation and storage features disclosed by Weiss to achieve an iterative process of storing plural vouchers separately in a group account separate from a player account because the intent of having an expiration date is to allow the player to play games with original non-cashable credits until the credits expire and to allow the player to continue playing even in the event of loss of a first voucher received without extension or reduction of the expiration date.

Thus, it would have been obvious to one having ordinary skill in the art at the time the applicants' invention was made to include continuous game play features for electronic voucher data having an expiration period features as taught by Walker '972 to provide iterative and separate creation and storage of voucher credits when executed in combination with the voucher creation and storage features as taught by Weiss because Weiss and Walker '972 both teach similar devices that perform voucher creation and use of credits in game play for an expiration period or up until and expiration date using analogous structure that is adaptable to simplify device operation for the player by allowing the player to complete the use of their credits before expiration and enhance productivity by providing use of existing database storage capabilities.

Regarding claim 108, the scope of the claim for the system apparatus that employs the method of operating the system would be inherent with respect to claim 39 above in view of the structure disclosed by Weiss and Walker '972 since the system

apparatus is employed in the normal and logical manner by which the method could be executed.

Regarding claim 44, the step of allowing the player to download includes the step of including the steps of converting the first number of bonus points to a first number of credits and downloading the first number of credits to the gaming machine (column 13, lines 5-38, Weiss; gaming machine credits are incremented as a result of the conversion of bonus points to credits).

Regarding claim 109, the bonus points are incentive points (column 14, lines 1-8, Weiss; promotional credits are incentive credits).

Regarding claim 112, the gaming machine for displaying to the player a list of electronic vouchers and allowing the player to indicate at least one electronic voucher to download (column 14, line 24 to column 15, line 3, Weiss; a list of voucher cash and point balances as well as other information is available for download).

Regarding claim 114, the player account having a plurality of electronic vouchers, for displaying to the player a list of electronic vouchers assigned to the player account and allowing the player to indicate at least one electronic voucher to download (column 7, lines 47-58 and column 14, lines 25-67, Weiss).

Regarding claim 115, the player account having a plurality of electronic vouchers, the gaming machine for displaying to the player a list of electronic vouchers available for download, and allowing the player to indicate at least one electronic voucher to download, the computer for converting bonus points associated with the at least one electronic voucher to credits and downloading the credits to the gaming machine (column 7, lines 47-58, column 10, lines 5-56, column 13, lines 5-38 and column 14,

lines 25-67, Weiss).

Regarding claim 116, wherein the player is identified using at least one of a player tracking identification card and a player tracking identification number (column 10, lines 5-56, Weiss).

Regarding claim 119, the gaming machine having a player tracking device, the computer for converting the first number of bonus points to a first number of credits, and downloading the first number of credits to the player tracking device (column 13, lines 5-38 and column 14, lines 1-23, Weiss).

Regarding claim 120, the gaming machine having a credit meter for tracking available credits for play of the gaming machine by the player, the computer for converting the first number of bonus points to a first number of credits, and downloading the first number of credits to the credit meter (column 13, lines 5-38 and lines 64-67, Weiss).

Regarding claim 121, the gaming machine having a credit meter for tracking available credits for play of the gaming machine by the player, the computer for designating the first electronic voucher as one of lump-sum and pay for play and converting the first number of bonus points to credits and downloading the credits to the credit meter if the first electronic voucher is designated as lump-sum (column 13, line 64 to column 14, line 23, Weiss; credits are downloaded when the voucher is one of four lump-sums, namely cash, winning credits, promotional credits or account credits).

Regarding claim 122, the gaming machine having a player tracking device coupled to the computer and a credit meter for tracking available credits for play of the gaming machine by the player, the gaming machine being capable of accepting a variable wager, the variable wager having a maximum wager value, the computer for converting the first number of bonus points associated with the first electronic voucher

to a first number of credits, and downloading the first number of credits to the player tracking device, the gaming machine for allowing the player to place a wager, playing the gaming machine, decrementing the wager from the credit meter, decrementing the maximum wager from the player tracking device, and crediting the maximum wager to the credit meter (column 13, lines 5-38, column 13, line 64 to column 14, line 8, column 21, lines 5-17 and column 22, lines 15-32, Weiss; a maximum wager, which is the largest wager made by the player varying up to the total credits on the credit meter before succeeding game play, is decremented from the credit meter).

Regarding claim 145, the computer for assigning a second number of bonus points to a second electronic voucher, defining the parameter of the second electronic voucher as being one of cashable and non-cashable, and assigning the second electronic voucher to the player account (column 9, lines 20-54, column 11, lines 8-39 and column 12, lines 60 to column 13, line 4, Weiss; plural bonus points are assigned to plural vouchers that are assigned to a group account as a separate record).

Regarding claim 146, the player account has an associated account number, wherein the player account and the electronic vouchers are stored in a database, the computer for storing the first and second electronic vouchers in a list of electronic vouchers in the database and storing the account number of the player account in each of the first and second vouchers, where the list is separate from the player account in the database (column 7, lines 47-53, column 8, lines 32-38 and column 8, line 43 to column 9, line 54, Weiss; plural vouchers in a list of vouchers having each player's account number and ID electronically stored in a group account in a database via a select player/group screen is separate from the actual player account that is accessed from the database via the requested function screen).

Regarding claim 147, the computer for assigning a second number of bonus points to a second electronic voucher, defining the parameter of second electronic voucher as being one of cashable and non-cashable, and assigning the second

electronic voucher to a second player account associated with a second player (column 12, lines 60-67 and column 20, lines 1-31 and lines 59-62, Weiss; plural bonus points are assigned to plural vouchers that are assigned to a group account as a separate record).

Regarding claim 148, the player account has an associated account number and the second player account has an associated second account number, and wherein the player accounts and the electronic vouchers are stored in a database, the computer for storing the first and second electronic vouchers in a list of electronic vouchers in the database, storing the account number of the player account in the first electronic voucher, and storing the account number of the second player account in the second voucher, wherein the list is separate from the player accounts in the database (column 7, lines 47-53, column 8, lines 32-38 and column 8, line 43 to column 9, line 54, Weiss; plural vouchers in a list of vouchers having each player's account ID and number stored in a group account in the database via a select player/group screen is separate from the actual player account that is accessed from the database via the requested function screen).

Regarding claims 40, 43, 45-47, 50-53 and 141-144, the scope of the claims for the method of operating the system would be inherent with respect to claims 109, 112, 114-116, 119-122 and 145-148, respectively, above in view of the structure disclosed by Weiss and Walker '972 since the method is the normal and logical manner by which the system could be employed.

Claims 54 and 123 rejected under 35 U.S.C. 103(a) as being unpatentable over Weiss in view of Walker '972, and further in view of Walker et al. (US Patent 6,503,146;

hereinafter Walker '146). Features are described by figures with reference characters where necessary for clarity.

Weiss alone or in combination with Walker '972 teaches features of the claimed invention as described above.

Regarding claim 123, Weiss alone or in combination with Walker '972 teaches the gaming machine having a player tracking device coupled to the computer and a credit meter for tracking available credits for play of the gaming machine by the player, the gaming machine being capable of accepting a variable wager, the computer for converting the first number of bonus points associated with the first electronic voucher to a first number of credits, and downloading the first number of credits to the player tracking device, the gaming machine for allowing the player to place a wager, playing the gaming machine (column 13, lines 5-38, column 13, line 64 to column 14, line 8, column 21, lines 5-17, column 22, lines 15-32, Figs. 2 and 3, 82 and 88, and Figs. 4, 4A and 4B, 126 and 130, Weiss).

However, Weiss alone or in combination with Walker '972 does not appear to teach decrementing and crediting a predetermined threshold wager as claimed. Therefore, attention is directed to Walker '146, which teaches that if a total of the player's wagers is greater or equal to a predetermined threshold, the predetermined threshold is decremented from the player tracking device, and the predetermined threshold is credited to the credit meter (column 7, lines 41-67, Walker '146; the threshold payout value for players on a team is the trigger for payout of bonuses when

the payout is greater than or equal to the threshold payout value in which the reward or bonus is subtracted from the jackpot and credited to the winning team members balance).

Walker '146 suggests that a device that provides player tracking of reward points earned by multiple players participating in linked play between gaming machines who have a chance to split winnings of a progressive jackpot will give the players an incentive to return to the casino for game play, thereby enhancing the player's gambling experience and improving the casino's retention of players (column 1, line 17 to column 2, line 38, Walker '146).

Thus, it would have been obvious to one having ordinary skill in the art at the time the applicant's invention was made to modify Weiss in view of the teachings of Walker '972, and further in view of the teachings of Walker '146 for the purpose of exchanging the interchangeable or upgradeable player account and bonus points crediting features of Weiss alone or in combination with Walker '972 with the threshold crediting features of Walker '146 in order to enhance the player's gambling experience and improve the player's loyalty to the casino.

Regarding claim 54, the scope of the claim for the method of operating the system would be inherent with respect to claim 123 above in view of the structure disclosed by Walker since the method is the normal and logical manner by which the system could be employed.

Response to Arguments

Applicants arguments filed in the Response dated 3/4/2008 as part of the Request for Continued Examination with respect to Examiners' rejection under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) have been considered fully and are moot in light of a new ground of rejection under 35 U.S.C. 103(a) as set forth above in view of applicants amendments and in view of applicants arguments thereof.

Examiner has provided the above new grounds of rejection of the claims under 35 U.S.C. 103(a) because each of the features of applicants claimed invention continues to be anticipated by or unpatentable or obvious over the prior art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

B US-6,370,514 B1, Messner

C US-6,330,543 B1, Kepecs

D US-6,332,127 B1, Bandera et al.

E US-6,935,957 B1, Yates et al.

F US-5,855,007, Jovicic et al.

G US-6,547,131 B1, Foodman et al.

H US-5,902,983, Crevelt et al.

I US-5,371,345, LeStrange et al.

J US-5,321,241, Craine

K US-5,265,874, Dickinson et al.

L US-4,906,826, Spencer

M US-7,158,955 B2, Diveley et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ARTHUR O. HALL whose telephone number is (571)270-1814. The examiner can normally be reached on Mon - Fri, 8:00am - 5:00 pm, Alt Fri, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/A. O. H./
Examiner, Art Unit 3714

/Scott E. Jones/
Primary Examiner, Art Unit 3714